

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/7/2022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LIN KWOK KEUNG,

Plaintiff,

-against-

ALLEN CONVENIENCE CORPORATION, a
New York corporation, d/b/a SMOKERS ONLY,
and ALLEN HOUSE, LLC, a New York limited
liability company,

Defendants.
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22-CV-7129 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on August 21, 2022, Plaintiff sued the above-named Defendants alleging that Plaintiff was “denied full and equal access to, and full and equal enjoyment of, the facilities at Defendants’ property,” in violation of the Americans with Disability Act (“ADA”), the New York State Human Rights Law (“NYSHRL”), and the New York City Human Rights Law (“NYCHRL”), Dkt. 1;

WHEREAS on November 1, 2022 (Dkt. 8), the parties notified the Court that they have reached an agreement in principle resolving all issues;

WHEREAS on November 2, 2022, Plaintiff was ordered to show cause why the case should not be dismissed without prejudice for lack of standing or otherwise move to amend the complaint pursuant to the Undersigned’s Individual Practices, *see* Dkt. 9;

WHEREAS on November 2, 2022, Plaintiff filed an amended complaint without attaching a redline exhibit of the proposed amended complaint as required by Rule 4(f) of the Undersigned’s Individual Practices; *see id.*; and

WHEREAS, notwithstanding Plaintiff's failure to follow the Court's Individual Practices, the amended complaint (Dkt. 9) still fails adequately to allege standing;

IT IS HEREBY ORDERED that the amended complaint is DISMISSED without prejudice for failure to allege standing.

IT IS FURTHER ORDERED that Plaintiff must serve a copy of this Order on Defendants and file proof of service on the docket by no later than **Wednesday, November 9, 2022**.

IT IS FURTHER ORDERED that all previously scheduled conferences and other deadlines are CANCELLED. The Clerk of Court is respectfully directed to terminate all open motions and close this case.

SO ORDERED.

Date: November 7, 2022
New York, NY



VALERIE CAPRONI
United States District Judge